

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

JOSEPH DAVIS, JR.

PLAINTIFF

v.

CAUSE NO. 1:07CV537-LG-JMR

BELK STORES SERVICES, INC.; TIM
BELK, Chairman, Belk Stores Services,
Inc.; JIM ZELLER, Store Manager,
Individually; CLUB LIBBY LU, INC., f/k/a
MCRAE'S STORES SERVICES, INC.; and
BELK DEPARTMENT STORES, LP

DEFENDANTS

JUDGMENT

_____This cause is before the Court on Defendants' Motion for Summary Judgment [39] and Plaintiff's Motion for Summary Judgment [41], the issues having been duly considered and a decision having been duly rendered by separate Memorandum Opinion;

IT IS THEREFORE ORDERED AND ADJUDGED that Defendants' Motion for Summary Judgment [39], should be, and is hereby **GRANTED**.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's Motion for Summary Judgment [41], should be, and is hereby **DENIED**.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's Title VII claims should be and are hereby **DISMISSED WITHOUT PREJUDICE**, and the remaining claims are **DISMISSED WITH PREJUDICE**.

SO ORDERED AND ADJUDGED this the 6th day of January, 2009.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE